

### REMARKS

The Examiner rejected claims 1-14 under 35 U.S.C. § 102(b) as being anticipated by Taniguchi et al. (U.S. Patent No. 6,445,679) (“Taniguchi”); rejected claims 15-22 under 35 U.S.C. § 103(a) as being unpatentable over Taniguchi in view of Kaneko et al. (U.S. Patent No. 6,505,347) (“Kaneko”).

Applicant amends claim 18.

Claims 1-22 are pending in the application.

#### Amendment to Claim 18

Applicant amends claim 18 in order to correct a typographical error. That is, “analyzing *means*” is replaced with “analyzing *step*” in order to reflect the fact that claims 1 and 18 are method claims, not means claims.

#### Rejection of Claims 1-14 under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-14 under 35 U.S.C. § 102(b) as being anticipated by Taniguchi. Applicant respectfully traverses.

With regard to claims 1 and 8, Taniguchi does not describe “extracting an information element from the transport stream.” The Examiner asserts that Taniguchi describes this at column 8, lines 25-32:

“The stream reception section 21 has a data reception results notification function (internal state notification function) which **measures a data reception volume per unit time . . .**” (emphasis added)

Applicant disagrees because Taniguchi merely “measures a data reception volume per unit time.” Reception rate is not “an information element” which one of ordinary skill in the art of compressed video signals understands to mean “PMTs, SDTs, MGTs, etc.” (page 6, line 18)

Because Taniguchi does not describe “extracting an information element from the transport stream,” Taniguchi cannot describe “generating a message of a predetermined type dependent on *the* extracted information element.” The Examiner asserts that Taniguchi describes this at column 8, lines 25-32:

“. . . and notices the measured value, for example, to the QoS controller 25 in the reception node 13 through the communication controller 24 as a QoS state **message regarding a effective reception rate** (data reception results).” (emphasis added)

Applicant disagrees because Taniguchi’s message merely regards “effective reception rate,” not “an information element extracted from the transport stream.” (Also see column 10, lines 52-59: Taniguchi’s messages relate solely to “internal states of the stream transfer devices 20.”)

For these reasons, claims 1 and 8 are not anticipated by Taniguchi. Accordingly, Applicant requests that the rejection of claims 1 and 8 under 35 U.S.C. § 102(b) be withdrawn.

Claims 2-7 and 9-14 are allowable because they depend from claims 1 and 8 respectively, both of which are allowable as discussed above. Accordingly, Applicant requests that the rejection of claims 2-7 and 9-14 under 35 U.S.C. § 102(b) be withdrawn.

#### Rejection of Claims 15-22 under 35 U.S.C. § 103(a)

The Examiner rejected claims 15-22 under 35 U.S.C. § 103(a) as being unpatentable over Taniguchi in view of Kaneko. Applicant respectfully traverses.

Claims 15-22 are allowable because they depend from claim 1, which is allowable as discussed above. Furthermore, claims 15-22 are not rendered obvious by Taniguchi in view of Kaneko because neither Taniguchi nor Kaneko nor their combination teaches or suggests “extracting an information element from the transport stream” or “generating a message of a predetermined type dependent on the extracted information element” as discussed above.

For both of these reasons, Applicant requests that the rejection of claims 15-22 under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

In view of the foregoing remarks, allowance of claims 1-22 is urged, and such action and the issuance of this case are requested.

Respectfully submitted,  
Matthew Towler

By: Michael A. Nelson/

Michael A. Nelson  
Reg. No. 59,450  
(503) 627-1785 (Voice)  
(503) 627-7119 (Fax)

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Tektronix, Inc.  
P.O. Box 500  
Delivery Station 50-LAW  
Beaverton, OR 97077